Manitoba

Annual Report
2000 - 2001

Justice

Criminal Justice Division

Includes 10% post-consumer waste

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Manitoba Victim Services

Manitoba Victim Services was established in 1984 to provide victims with support and a greater degree of participation in the criminal justice system. The goal of victim service programs is to reduce the negative effects of crime on the people of Manitoba. Victim services are delivered through the Public Safety Branch of Manitoba Justice.

Vision

To have a justice system that is responsive to and facilitates the needs of crime victims.

Purpose

Victim Services is primarily responsible to assist and support victims involved in Manitoba's criminal justice system.

Victims have needs directly related to their involvement in the criminal justice system. They may require:

- information on the justice system and assistance as they proceed through the criminal justice process
- information and referrals to help them cope with the effects of the harm they have suffered
- compensation for expenses incurred as a direct result of the crime against them

Goal

To increase understanding of victim's needs and ensure basic support services are available throughout Manitoba to meet them.

Services d'aide aux victimes du Manitoba

Les Services d'aide aux victimes ont été établis au Manitoba en 1984 afin d'offrir du soutien aux victimes d'actes criminels et de leur donner la possibilité de participer davantage au système de justice pénale. Le but des programmes de services d'aide aux victimes est de réduire les répercussions négatives que les actes criminels ont sur la population manitobaine. Ils sont fournis par la Direction de la sécurité publique de Justice Manitoba.

Vision

Établir un système judiciaire qui est à l'écoute des victimes d'actes criminels et qui répond à leurs besoins.

Objectif

Les Services d'aide aux victimes servent principalement à aider et à soutenir les victimes ayant affaire au système de justice pénale au Manitoba.

Les besoins des victimes sont directement liés à leur degré de participation au système de justice pénale. Elles pourraient avoir besoin :

- d'information sur le système judiciaire ainsi que sur les services d'aide offerts tout au long du processus de justice pénale
- de renseignements et de services de renvoi pour les aider à faire face aux effets négatifs des actes criminels dont elles ont été victimes
- des indemnités pour les dépenses qu'elles ont engagées en conséquence directe de l'acte criminel dont elles ont été victimes

Objectif

Les Services d'aide aux victimes visent à mieux sensibiliser la population du Manitoba aux besoins des victimes d'actes criminels et de veiller à ce que des services d'aide de base soient en place partout dans la province pour répondre à leurs besoins.

Rationale and Governing Legislation

Recognizing Victims' Needs

On January 4, 1999, the Manitoba Legislature proclaimed *The Victims' Rights Act* (C.C.S.M. c.V55). The act was passed to address the growing demands from victims for information about the investigation and prosecution of the criminal cases affecting them. The act allows for a greater degree of victim participation in the criminal justice system.

In Manitoba, victims have the right to:

- be treated with courtesy, compassion and respect
- have their views or concerns brought to the attention of the court
- have ready access to information about their rights under *The Victims' Rights Act*
- be informed about the status of the police investigation and prosecution of the matter affecting them
- be given information from Manitoba Corrections about the offender's name, the offence for which the offender was convicted and any relevant dates (e.g., release date)
- be given the opportunity to request a meeting with the offender
- have measures taken to protect them and their families from intimidation and retaliation

The Victims' Rights Act also provides a victim complaint process. Under the act, victims who believe that they have been mistreated by any part of the criminal justice system may make a complaint to the Director of Victims' Support Services. Victims are provided with a report on the outcome of the investigation and may comment on it. If a victim is not satisfied with the report, the Provincial Ombudsman may be asked to review it.

Raisonnement et législation

Reconnaître les droits des victimes

Le 4 janvier 1999, l'Assemblée législative du Manitoba a promulgué la *Loi sur les droits des victimes* (C.P.L.M. c.V55). Cette loi vise à répondre à la demande accrue des victimes d'avoir plus d'information sur l'enquête et les poursuites judiciaires qui les concernent. Grâce à cette loi, les victimes peuvent participer davantage au système de justice pénale.

Au Manitoba, elles ont le droit :

- d'être traitées avec courtoisie, compassion et respect
- de s'attendre à ce que les tribunaux tiennent compte de leurs vues et de leurs inquiétudes
- d'avoir rapidement accès à de l'information au sujet des droits que leur confère la *Loi sur les droits des victimes*
- de recevoir des renseignements sur l'avancement de l'enquête policière relative à l'affaire qui les concerne et pour toute poursuite engagée à la suite de cette enquête
- de recevoir de l'information des Services correctionnels comme le nom de l'auteur de l'acte criminel, l'acte criminel à l'origine de la déclaration de culpabilité et les dates pertinentes (p. ex. la date de sa remise en liberté)
- de rencontrer l'auteur de l'acte criminel, si elles le désirent
- de s'attendre à ce que des mesures soient prises pour que ni elles ni leurs familles ne soient victimes de harcèlement ou de représailles

La *Loi sur les droits des victimes* prévoit un processus de dépôt de plaintes. En vertu de la loi, les victimes qui estiment avoir été maltraitées par le système de justice pénale peuvent déposer une plainte auprès du directeur des services de soutien aux victimes. La victime recevra un rapport indiquant les résultats de l'enquête et aura alors l'occasion de le commenter. Si elle n'est pas satisfaite du rapport, ce dernier pourrait faire l'objet d'une révision par l'ombudsman provincial.

Year In Review

The year 2000 saw the introduction of Manitoba's *Victims' Bill of Rights*. The bill was introduced by Gord Mackintosh, Attorney General and Minister of Justice. It fundamentally alters how the system treats victims of crime by requiring justice officials to inform and consult with victims as their cases proceed through the justice system. The legislation specifies the rights of victims as they deal with police, prosecutors, courts and corrections officials.

The bill also amends the accountability and complaint process. It places a greater onus on Manitoba Justice to address complaints in a timely manner. It allows a maximum of 30 days to respond to complaints, with any extension requiring the approval of the Ombudsman. The *Victims' Bill of Rights* establishes a national precedent for victims' rights in Canada.

The Child Victim Support Initiative was announced in April 2000. Child-friendly courtrooms and waiting rooms, special prosecutors, a process for early trial dates and enhanced child-victim support services are among the highlights of the comprehensive six-point initiative.

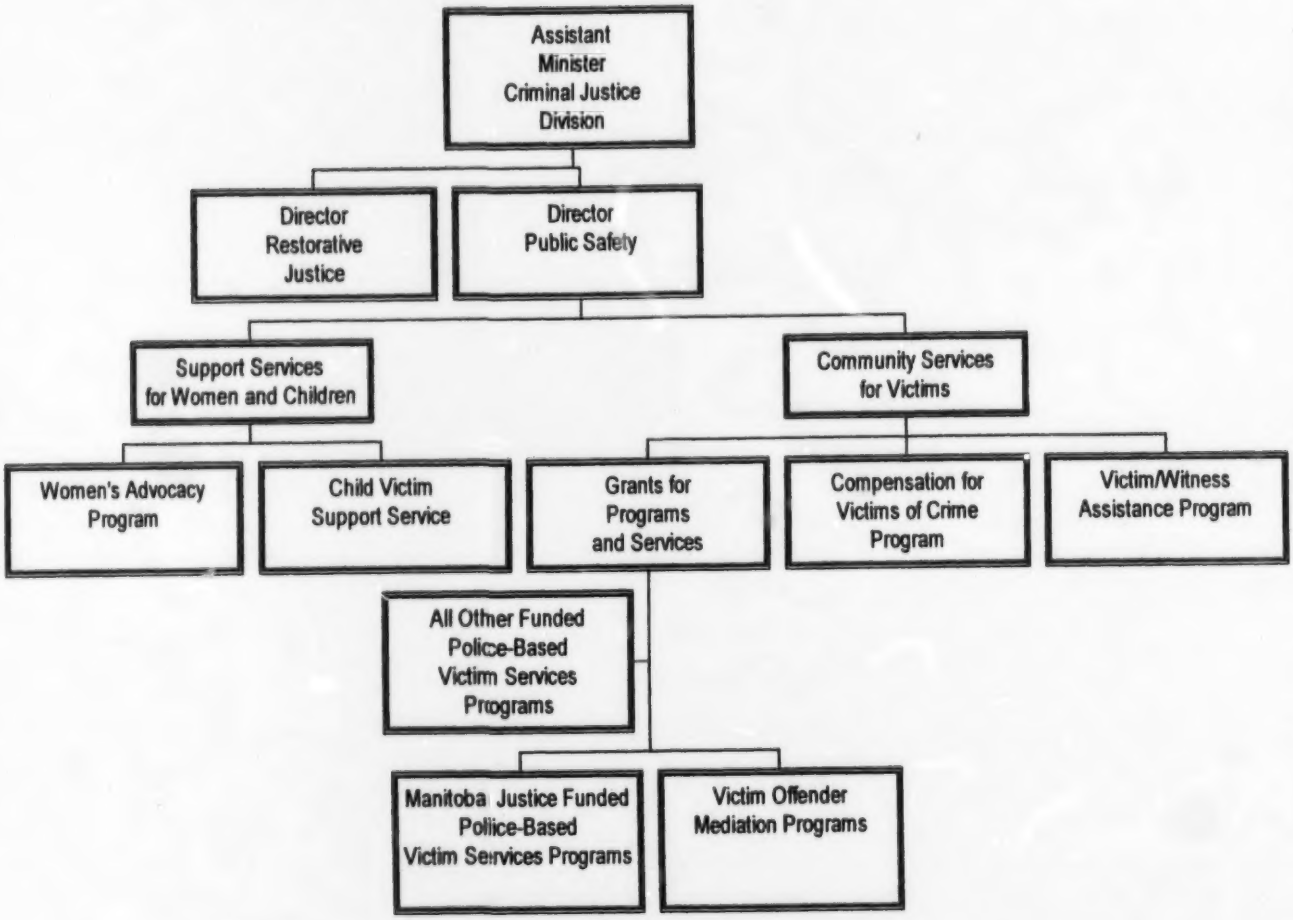
Manitoba's first child friendly courtroom and waiting room were opened in November 2000 at Winnipeg's Law Courts Building. A similar child friendly waiting room was also opened in Brandon.

The introduction of the Child Victim Support Initiative expanded and changed the Child Witness Support Program, now called the Child Victim Support Service.

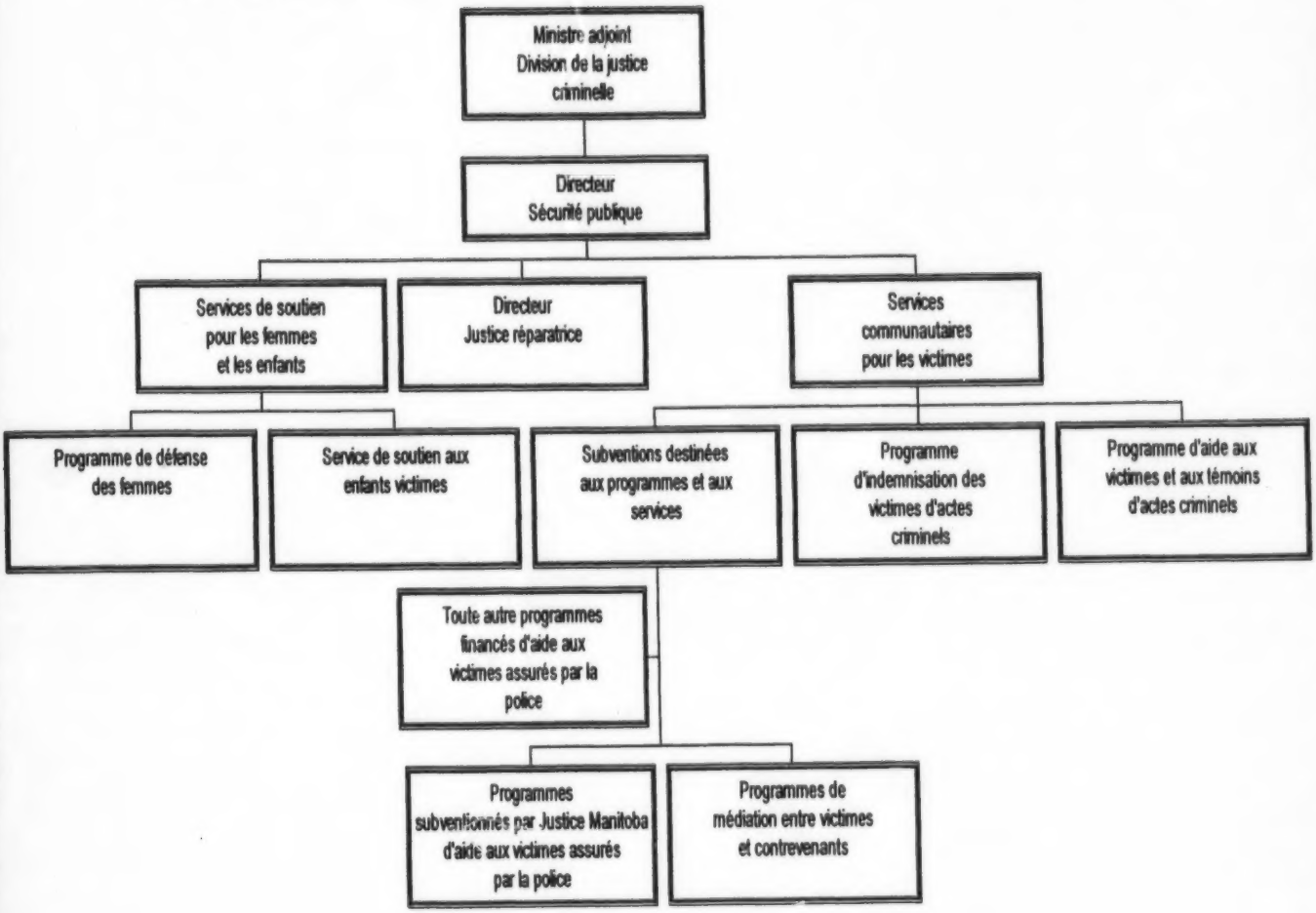
This year Manitoba Justice expanded services to victims by providing a $15,000 grant to the Pembina Valley Victim Services Program and approving the funding for the salaries of two Victim Services co-ordinators in Morris and Lac du Bonnet. The position in Morris was filled this year and the position in Lac du Bonnet is expected to be filled in 2001.

A $50,000 donation was also made through the Victims' Assistance Fund to the newly created Helen Betty Osborne Memorial Foundation. Income earned from the fund will provide for student bursaries.

Organizational Chart


Assistant Minister Criminal Justice Division
Director Restorative Justice
Director Public Safety
Support Services for Women and Children
Community Services for Victims
Women's Advocacy Program
Child Victim Support Service
Grants for Programs and Services
Compensation for Victims of Crime Program
Victim/Witness Assistance Program
All Other Funded Police-Based Victim Services Programs
Manitoba Justice Funded Police-Based Victim Services Programs
Victim Offender Mediation Programs

Organigramme


Ministre adjoint
Division de la justice criminelle
Directeur
Sécurité publique
Services de soutien pour les femmes et les enfants
Directeur
Justice réparatrice
Services communautaires pour les victimes
Programme de défense des femmes
Service de soutien aux enfants victimes
Subventions destinées aux programmes et aux services
Programme d'indemnisation des victimes d'actes criminels
Programme d'aide aux victimes et aux témoins d'actes criminels
Toute autre programmes financés d'aide aux victimes assurés par la police
Programmes subventionnés par Justice Manitoba d'aide aux victimes assurés par la police
Programmes de médiation entre victimes et contrevenants

Volunteers in Manitoba Victim Services Programs

The year 2001 is the International Year of the Volunteer and volunteers represent an integral part of many victim service programs.

Volunteers undertake community service work without receiving payment. Volunteering, for some, means giving back to their community or acting on their need to help others. Others volunteer to gain professional experience. Whatever the reason, volunteers often find the work they do valuable and rewarding.

Service agencies value the contributions of volunteers. Often agencies require additional help that their budgets cannot afford. Volunteers contribute substantially to many workplaces and victim services is no exception. They also enhance the operation and delivery of victim programs and services.

Manitoba Victim Services are delivered through several agencies including municipal police forces, the RCMP and Manitoba Justice. Most victim services have a full-time co-ordinator and, in a few cases, one or two full or part-time staff.

In several victim service programs, volunteers have direct contact with victims. They provide information about community resources, the court process, updates on police investigations and make referrals. Volunteers donate to the following:

Organization	Number of volunteers	Number of volunteer hours
Age & Opportunity: Older Victim Services	3	485
Brandon Police Victim Services	11	769
Justice – Victim/Witness Assistance	5	722
RCMP Victim Services	43	5,017
Winkler Police Victim Services	2	312
Winnipeg Police Victim Services	50	10,000
TOTAL	**114**	**17,305**

Support Services for Women and Children

Support services for women and children are administered by the Women's Advocacy Program and the Child Victim Support Service. Staff are committed to providing timely support, information and advocacy for victims involved in the criminal justice system. Staff also liaise with the Crown attorney's office and other members of the justice system. Staff provide court orientation, court accompaniment, case information, case referral and advocate for women, children and youth.

Women's Advocacy Program

Since 1986, the Women's Advocacy Program (WAP) has been advising female victims of domestic violence about their rights and responsibilities and offering support as they proceed through the court system.

Victims of domestic violence face complex relationship issues with the offender. Women who use WAP often request safety planning and information about community resources, the criminal justice system, court process and what to expect as the case proceeds through court.

During 2000/2001, 4,533 initial contact letters were issued to victims (74 more than last year) and staff responded to 4,515 intake calls.

Victims may choose to meet with a counsellor to ask questions and discuss any information relevant to the case. Counsellors will describe the cycle of violence and how the cycle affects them and their children. Counsellors help victims prepare a protection plan and refer them to other services. Information on using protection orders to increase safety is also available.

Counsellors liaise with Crown attorneys about women's concerns about the criminal justice system. Counsellors can ensure that Crown attorneys are aware about women's concerns or wishes. However, WAP does not attempt to change the prosecution or the outcome of the court case.

The Women's Advocacy Program in Winnipeg currently employs one part-time and six full-time counsellors and two administrative staff. Prior to the Lavoie Inquiry, there were three counsellors and one administrative assistant. Since the *Lavoie Inquiry Report* was published in 1997, the program has expanded its service in Brandon, The Pas and Thompson increasing staff to full-time from four days a week. The Brandon counsellor serves women in Waywayseecappo once a month and the counsellor in The Pas serves Pukatawagan and Moose Lake women three days a month. In 1999 the program opened a Selkirk office four days a week.

Last year, evening appointments were offered in Winnipeg once a week. Additional evening office hours will be offered where demand warrants. The Winnipeg office has been offering appointments one afternoon a week in Nor'West Community Health Clinic to serve clients in their own community. Service was also expanded to clients of the Immigrant Women's Association in 2001. WAP in Winnipeg has two bilingual workers who assist Francophone and Spanish speaking victims.

The program also provides safety information and cell phones to women who qualify for the Victims First Cell Program. In 2000/2001, WAP provided cell phones to 11 women while they were in crisis.

Child Victim Support Service

Established in 1984, the Child Victim Support Service (formerly Child Witness Support Program) focuses on the needs of sexual and physical abuse victims between the ages of 4 and 18. The program supports and assists child victims and their families for participation in criminal court proceedings. Program staff explain the criminal court process to reduce the trauma experienced by victims who have to testify in court.

Victims are often seen several times by a counsellor depending on individual needs. Counsellors prepare victims for their testimony by visiting an empty courtroom and familiarizing victims with the surroundings. They advise children, parents and guardians about the justice system, courtroom procedures and the use of screening devices, videotapes and closed-circuit television. Program staff may also help schedule meetings with the Crown attorney and accompany the victims to court to give emotional support.

The counsellor acts as a liaison among victims, the police, the Crown attorney and the court to keep the victims informed of the status of their case.

The Child Victim Support Service has six offices in Manitoba: Winnipeg, Brandon, The Pas, Dauphin, Selkirk and Thompson. The program has been expanded in Winnipeg to include services for adult victims of child abuse. In Winnipeg, a co-ordinator, a counsellor and an administrative assistant staff the Child Victim Support Service. In rural areas, an individual staff member fulfils the functions of the Women's Advocacy Program in addition to the Child Witness Support Service.

Referrals are received through various sources including Prosecutions, the RCMP and the Department of Family Services and Housing. In 2000/2001, 474 referrals were made in Winnipeg; 201 referrals in rural Manitoba. There were 179 files opened and 166 files closed in Winnipeg; 107 files opened and 126 files closed in rural Manitoba.

Referrals to the Child Witness Support Program by Location

Location	Intake	Files Opened	Files Closed
Winnipeg	474	179	166
Brandon	32	15	26
Dauphin	Office	Vacant	
Selkirk	50	35	31
The Pas	59	39	53
Thompson	60	18	16
TOTAL	**675**	**286**	**292**

Several enhancements to the service are being introduced through the Child Victim Support Initiative. These include:

- early case referrals by a Crown attorney to the Child Victim Support Service
- communication and consultation with the child and parents or guardians regarding all significant events about the case
- referrals to counselling services funded through the Compensation for Victims of Crime Program or the Victims' Assistance Fund
- the introduction of a puppet program to help pre-school and early elementary children feel more comfortable in asking questions about the court process
- more emphasis on simple age-appropriate language in the courtroom
- the introduction of a new program to train community volunteers as child advocates

Community Services for Victims

Community Services for Victims (CSV) is an affiliate of the provincial Public Safety Branch, Criminal Justice Division. Its programs include Victim/Witness Assistance and Compensation for Victims of Crime.

CSV is responsible for :

- providing information and assistance to victims and witnesses involved in the criminal justice system
- delivering financial compensation to victims of prescribed offences
- investigating complaints filed under the accountability and complaint process of *The Victims' Rights Act*
- administering grants including financial support to community-based victim services programs
- providing standards and evaluating and monitoring the performance of the programs receiving financial support from community victim services
- providing Manitoba Justice with consultation on policies, procedures and legislation related to rights and services of victims

Victim/Witness Assistance Program

The Victim/Witness Assistance Program provides a range of support services for crime victims and victims who are subpoenaed as Crown witnesses in court. Attending court and giving evidence before a judge can be stressful and frightening for some victims and witnesses. Victims and witnesses may also require support for such things as travel, childcare, cost of missing work, health issues and the fear of facing the accused. Staff at the Victim/Witness Assistance Program are trained to respond promptly by addressing the victim/witness' concerns with the Crown attorney or other justice personnel.

The program is staffed by a co-ordinator, three witness workers and trained volunteers. Last year the program had five volunteers who contributed 722 hours of service.

The Victim/Witness Assistance Program staff:

- provide information about the criminal justice process, including an overview of criminal court proceedings
- offer basic information about the case affecting them, including the next court date, courtroom location, purpose of the court date (when known), name of the Crown attorney assigned to the case and case disposition
- serve as a liaison between victims, witnesses and justice personnel
- provide information on victims' rights and responsibilities in the criminal justice system
- explain how to seek restitution and information about the Compensation for Victims of Crime Program
- offer information on victim impact statements, and assist those who are unable to complete the statement on their own
- notify civilian and police witnesses of court cancellations
- work in conjunction with prosecutions staff to co-ordinate witness travel arrangements
- provide reimbursement of expenses for witnesses and interpreter services
- refer victims to other justice-based and community service agencies
- assist victims and witnesses with special needs

The Victim/Witness Assistance Program office is on the 4th floor of the Law Courts Complex at 408 York Avenue. This year, a reception kiosk was added on the main floor, providing information and directions weekday mornings from 8:30 a.m. to 10:00 a.m., when most victims and witnesses are arriving for court. In the first four months of operation, 880 people checked in and 1,056 information inquiries were received at the kiosk.

In 2000/2001, program services included approximately 45,000 telephone contacts. In addition, 2,221 victims/witnesses received a variety of services including written correspondence with Crown attorneys about their case concerns, information on victim impact statements, court orientations and court accompaniments. Staff also contacted 2,349 victims and civilian witnesses and 2,502 police officers, offering cancellation information on 892 court cases. In addition, expense claims were processed for 589 subpoenaed witnesses.

The program also provided information and processed all victim impact statements presented in Winnipeg or Winnipeg circuit courts. In 2000/2001, the total number of statements received was 432. The co-ordinator had the added responsibility of addressing both formal and informal complaints under the Victims' Rights Complaint Process.

In 2000/2001, program staff focused on reinforcing relationships with other victim services throughout the province. Emphasis was placed on improving service to crime victims. Program staff encouraged victims to prepare victim impact statements and, where appropriate, to read the statement aloud in court when the offender was sentenced. Significant improvements were also made to the victim/witness waiting room, providing a more comfortable space, separate from the general court waiting areas.

Compensation for Victims of Crime Program

The Compensation for Victims of Crime Program compensates victims for personal injury or death resulting from crimes. People who sustain an injury while helping a police officer or while trying to prevent a crime may also be compensated. In the event of the victim's death, an immediate family member may make the application.

Under the program, injured victims or their designates, must file a report with the police as soon as possible after the incident occurred. They must co-operate with law enforcement agencies in apprehending and/or prosecuting the offender. However, the offender does not need to be apprehended for compensation to be awarded.

A person whose injuries or death occurred while participating in a criminal offence, or whose conduct directly or indirectly contributed to the victim's injury or death, is not eligible for compensation. The act requires that a claim be filed within one year of the injury or death. Only in exceptional circumstances does the director decide to extend the time limit.

Funding for victim compensation comes from general revenues collected by Manitoba Justice and administered through the Compensation for Victims of Crime Program. In the past, nearly one-third of these costs have been recovered from the Victims' Assistance Fund.

Eligible compensation benefits can include:

- payment of medical expenses (prescription drug costs, ambulance bills)
- replacement of damaged clothing
- dental treatment, replacement or repair of dentures
- replacement or repair of prescription eyeglasses
- counselling
- compensation for lost wages if the victim is disabled or fatally injured
- support payments for dependants
- rehabilitation or retraining
- compensation for permanent disability
- payment of funeral expenses

Personal losses not covered by the program include:

- compensation for pain and suffering
- any loss under $150
- stolen items and/or money
- loss or damages to property, including a victim's car or home
- injuries received on the job when worker's compensation is payable
- injuries arising from a motor vehicle accident
- injuries sustained outside of Manitoba
- benefits that are payable through other insurance plans or programs

The program, staffed by an adjudicator and two administrative support personnel, processes applications generally within two to three weeks.

There is no cost for a victim to file a claim. After a claim is filed, staff gather all necessary documentation to process the claim, including relevant medical, police and employer information. An adjudicator reviews the claim and sends a written decision to the claimant. If the claimant disagrees with the decision, he or she may appeal.

Appeal Process

The program has two separate appeal processes: one under *The Criminal Injuries Compensation Act* and the second, under *The Victims' Rights Act*.

Under *The Criminal Injuries Compensation Act*, the first level of appeal is a formal reconsideration of the decision by the program. If the claimant is still dissatisfied, the matter is referred to the Review Office at the Worker's Compensation Board for further consideration. The final step in the process is to file a formal appeal to the Appeal Commission's Appeal Board.

The Victims' Rights Act provides for only two levels of appeal: program reconsideration and then the filing of a formal appeal to the Appeal Commission's Appeal Board.

Both processes inform claimants of this procedure in writing. The decision of the Appeal Board is final, except on issues of law or jurisdiction. These issues can be appealed to the Court of Queen's Bench.

APPLICATIONS SUBMITTED TO THE
COMPENSATION FOR VICTIMS OF CRIME PROGRAM
For the 1999/2000 and 2000/2001 fiscal years.

	2001	2000
New Applications	596	534
Applications Carried Over from Previous Year	12	138
Total Files	**608**	**672**
Files Held Over to Next Year	62	12
Total Applications Processed	**546**	**660**

DISPOSITION OF CLAIMS
For the 1999/2000 and 2000/2001 fiscal years.

	2001	2000
Approved	419	429
Denied	108	175
Not Pursued	19	56
TOTAL	**546**	**660**

NUMBER OF APPROVED CLAIMS ACCORDING TO THE NATURE OF THE OFFENCE
For the 1999/2000 and 2000/2001 fiscal years.

Schedule of Criminal Offences	2001	2000
Assault and assault with a weapon	272	273
Robbery	7	39
Aggravated assault	0	21
Sexual assault involving children	65	43
Sexual assault	42	27
Murder	25	15
Attempted murder	3	2
Arson	0	3
Home invasion	1	0
Unlawfully pointing a firearm	0	1
Criminal Harassment	4	1
No description of incident provided	0	4
TOTAL	**419**	**429**

NUMBER OF CLAIMS ADJUDICATED BY YEAR

Year Ended March 31	Approved	Denied
2001	419	108
2000	429	175
1999	408	65
1998	430	102
1997	432	140
1996	434	108
1995	423	106
1994	419	128
1993	448	128
1992	414	111
1991	328	106

BENEFITS AWARDED BY YEAR

Year Ended March 31	Total
2001	$ 3,337,321
2000	$ 3,539,758
1999	$ 3,443,368
1998	$ 3,327,100
1997	$ 3,350,197
1996	$ 3,281,442
1995	$ 2,840,275
1994	$ 2,853,876
1993	$ 2,642,800
1992	$ 2,376,062
1991	$ 1,802,355

MOST FREQUENT REASONS FOR REJECTION OF CLAIMS

	2001	2000
Did not apply within appropriate time limit	16	29
Claimants did not co-operate with the police	19	34
Claimants' behaviour directly or indirectly contributed to their injury	4	20
No evidence that a crime took place	41	61
Ineligible (below minimum claim amount)	13	28
Claimants were committing a crime when they were injured	2	3
Crime was not reported to law enforcement authorities within a reasonable time	3	0
TOTAL	**108**	**175**

APPEALS
For the 2000/2001 fiscal year

Breakdown of Decisions for Reconsidered Files	
Claim fully approved	17
Claim approved at a reduced rate	1
Claim denied	17
TOTAL	**35**

Breakdown of Decisions for Files Considered by the Appeal Commission	
Claim fully approved	3
Claim approved at a reduced rate	1
Claim denied	2
TOTAL	**6**

Police-Based Victim Services

Police-based victim services assist victims referred to the program by police, prosecutors, community-based victim services and social service agencies. Program staff ensure victims have access to information about the crime and provide support to deal with the impact of victimization. Services are provided by phone, mail or in person. Referrals to community resources and services also help meet victims' needs.

Police-based victim service programs are run by the Royal Canadian Mounted Police (RCMP), the Dakota Ojibway Police Service (DOPS) and municipal police services in Brandon, East St. Paul, Pembina Valley and Winnipeg. Service is also provided to older crime victims through Age and Opportunity Inc. in Winnipeg and Older Victim Services in Brandon.

Municipal Police Victim Services

Municipal police victim services programs are staffed by municipal police forces and paid by the municipalities. These units rely heavily on volunteer support. Police-based victim service units are located in:

- Brandon (1 full-time position)
- Winnipeg (3 full-time positions)
- Pembina Valley (1 part-time position)
- East St. Paul (1 part-time position filled by a constable)

In 2000/2001, Manitoba Justice funded a part-time position for the Pembina Valley Victim Services program. This newly created program delivers service through the Altona, Morden and Winker Police Services.

Aboriginal Police Victim Services

The Dakota Ojibway Police Service (DOPS) polices four reserve communities: Roseau River, Sioux Valley, Canupawakpa, and Birdtail Sioux First Nations. DOPS receives a $26,500 grant each year from the Victims' Assistance Fund to deliver this program. While victim service programs are available across Manitoba, there are no programs being run within reserves. This is complicated by the fact that most reserves are geographically isolated and that victims do not have the financial resources to travel and access other victim service programs. By adopting an approach based on other victim service programs as well as community input, DOPS has been able to effectively reach and support some crime victims in ways that other programs have not been able to. DOPS's victim services program is currently staffed by one full-time co-ordinator who works out of Brandon.

The Royal Canadian Mounted Police (RCMP) Victim Services

The RCMP-based victim services program serves regional Manitoba and is funded by Manitoba Justice. The program began in 1992 with Victim Services Units (VSUs) established in seven communities: Selkirk, Portage la Prairie, Virden, The Pas, Thompson, Flin Flon and Dauphin. A VSU was established in Gimli in 1999/2000. During 2000/2001, the half-time unit located in Dauphin expanded to a full-time funded operation and a newly funded VSU started in Morris. In addition, funding was secured to create a new VSU in Lac du Bonnet.

At the end of 2000/2001, there were nine staffed VSUs. A program manager position operates out of the 'D' Division Headquarters in Winnipeg and is responsible for the overall program operation.

All of the staffed VSUs rely on a full or part-time co-ordinator funded through the Manitoba Justice Victims' Assistance Fund and on a complement of volunteers. Volunteer recruitment, training and supervision of volunteers are ongoing and significant responsibilities for the co-ordinators.

During this report period, there were also three non-funded volunteer VSUs in operation (Stonewall, Oakbank and Swan River) who work out of RCMP detachments and under the supervision of the program manager. They rely entirely on the commitment and dedication of volunteers.

As a police-based service, these programs offer timely support to crime victims in rural Manitoba. They are also available to victims for whom the crime does not proceed to court. These units offer formal or informal on-call service through the detachment for after-hours occurrences where victim assistance is deemed necessary.

The VSUs serve approximately 39 percent of the rural population policed by the RCMP. These VSUs do receive requests for service and assistance from outside their primary service areas and have responded to these requests with service provision in most cases.

The following types of service are available:

- emotional support
- information and updates about the case
- information about the criminal justice system and the court process
- practical assistance completing victim impact statements and forms for other programs such as Compensation for Victims of Crime
- referrals to other agencies, programs and services in the community and the province
- crisis intervention services as established in each unit
- home security/crime prevention information
- court visitations, preparations and accompaniment
- hospital visitations
- home visitations

Last year, nine RCMP staff and 43 volunteers made a total of 9,545 contacts with victims throughout Manitoba. Services were provided to 2,663 victims.

In 2000/2001, 43 VSU volunteers generously donated a total of 5,016 to victims. In addition, nine VSU co-ordinators provided a total of 1,270 volunteer hours in after hours services.

VSUs volunteer staff and co-ordinators are actively involved in their rural communities. Co-ordinators participate in community presentations and media events throughout the year in order to make communities more aware of available services and to encourage prospective volunteers. Co-ordinators represent themselves and the program as members of community organizations, boards and agencies.

Community Resources

Victim Offender Mediation Programs

Victim Offender Mediation is offered in Winnipeg by Mediation Services. It is a community-based program funded, in part by the Mennonite Central Committee and Manitoba Justice. Mediation services were first introduced in Winnipeg in 1979 by the Mennonite Central Committee to handle three basic types of cases: diversion, post-plea and community disputes.

In diversion cases, the accused is charged with a Criminal Code offence. If the case meets the screening criteria and the accused and complainant agree to participate in mediation, the court proceedings are delayed. If an agreement is reached and complied with, and the Crown attorney's office agrees, a stay of proceedings is entered.

In post-plea cases, a guilty plea is entered and the case is remanded to give the complainant and offender the opportunity to participate in mediation.

Community disputes involve a disagreement between two or more individuals but do not involve criminal charges. The program gives victims the chance to meet face-to-face with their offenders to resolve the issue. The program has been so successful that two other cities, Brandon (Westman Mediation Services) and Thompson (Thompson Mediation Inc.), have started their own programs in the past three years.

The program objectives are to:

- provide a safe place for victims to take back control of their lives
- provide a way for victims to be directly involved in resolving the issues that affect them as a result of the crime
- help people deal with conflict in a way that can lead to reconciliation, forgiveness and healing, especially in cases where there is an ongoing relationship
- respond to crime in a way that interprets the incident as involving persons with feelings, concerns and needs
- hold accused persons accountable for their behaviour
- allow accused persons to take responsibility for their actions in ways that are constructive, that allow them to feel like responsible members of society and that help to minimize the possibility of long-term penalties and a criminal record

Winnipeg's program handles approximately 750 to 800 cases annually. Of these cases, approximately one third progress to full mediation.

Number of Referrals by the Status of the Offender at Winnipeg Mediation Services

Fiscal Year	Youth	Adult	Total Referrals
1992/1993	253	699	952
1993/1994	274	626	900
1994/1995	302	438	740
1995/1996	287	509	796
1996/1997	306	437	743
1997/1998	272	512	784
1998/1999	269	488	757
1999/2000*	190**	545	735
2000/2001***	165**	564	729

*Approximately 30 more cases were awaiting intake. They will fall under this fiscal year and are not captured in these statistics.

**Some youth cases this fiscal year were captured in the Aboriginal Youth Diversion program statistics. They do not appear in this chart, making it appear that the number of youth cases referred has gone down.
***Mediation Services converted their fiscal year to correspond with the fiscal year of Manitoba Justice. This year's statistics reflect all cases mediated and referred between April 1, 2000 and March 31, 2001.

In 2000/2001, Winnipeg Mediation Services closed 254 cases with a resolution and 295 cases without a resolution. The most common reason for a case closing without a resolution was the complainant was unwilling to proceed through mediation (214 cases). An additional 173 referrals did not proceed to mediation because either the accused (32) or the complainant (141) could not be contacted. At the end of 2000/2001, 82 open cases were carried over to the next fiscal year.

In 2000/2001, Westman Mediation Services received 151 referrals and completed 26 successful mediations. Between January 1, 2000 and October 31, 2000, Thompson Mediation Inc. had received 65 referrals, 29 had resulted in mediated agreements. A total of 10 cases remained unmediated.

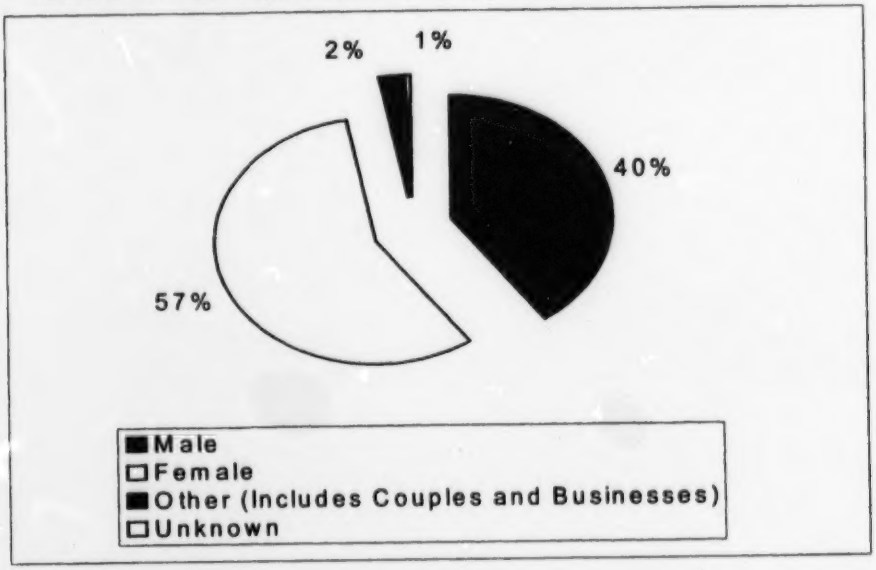
Special Programs

Victim Impact Statement Program

Since October 1998, the Province of Manitoba has provided victims with the opportunity to participate in the Victim Impact Statement Program. The program provides victims with the opportunity to have input into offender sentencing by describing in writing to the courts how they have been physically, financially and emotionally affected by the crime. Victim impact statements heard by Winnipeg and Winnipeg circuit courts are submitted to the Victim/Witness Assistance Program. Copies are then forwarded to the Crown. In other parts of the province, victim impact statements are submitted directly to the Crown attorney.

Victim impact statements collected for Winnipeg and Winnipeg Circuit Courts are being tracked by the Victim/Witness Assistance Program. In 2000/2001, 432 statements were filed at the Victim/Witness Assistance Program office.

Authors of Victim Impact Statements by Gender in Winnipeg Courts



Age of Authors of Victim Impact Statements in Winnipeg Courts

Age	Frequency	Percent
1-15	51	11.8%
16-30	128	29.6%
31-45	140	32.4 %
46-60	55	12.7%
61-75	18	4.2%
76-90	9	2.1%
No Response	31	7.2%
TOTAL	**432**	**100%**

Type of Crime Listed in Victim Impact Statement in Winnipeg Courts

Type of Crime	Frequency	Percent
Crime Against the Person	287	66.4%
Crime Against Property	111	25.7%
Crime Against Person & Property	28	6.5%
No Response	6	1.4%
TOTAL	**432**	**100%**

Author of Victim Impact Statement in Winnipeg Courts

VIS Completed by	Frequency	Percent
Victim	353	81.7%
Victim's Relative	60	13.9%
Case Worker/ Advocate	15	3.5%
Friend	3	.7%
Not Specified	1	.2%
TOTAL	**432**	**100%**

Victims' Rights and Complaints

The complaint process outlined in *The Victims' Rights Act*, allows victims to bring a matter to the attention of the appropriate agency and have their concerns addressed. In attempting to resolve the complaint, the agency may introduce new procedures to correct the problem for future clients.

Victims who believe they have been mistreated by any part of the criminal justice system can make a complaint. The act defines a victim as a person against whom a crime has been committed or is alleged to have been committed. If the victim is deceased, it includes members of the immediate family. If the victim is incapacitated, it includes a designated representative.

If victims are dissatisfied with the resolution of their cases, they may appeal to the director of Victims' Support Services. If they are still dissatisfied, complainants may go to the Provincial Ombudsman.

In 2000/2001, six formal complaints had been filed under the complaints process by five separate victims. Most of these complaints could be classified as informal complaints. However, as the majority resulted in policy or procedural changes to the programs or services against which the complaints were made, they have been classified as formal complaints.

The director submits an annual report to the Minister of Justice summarizing the complaints received, how the complaints were addressed and any comments received from victims about the complaint. The minister will then submit this report to the Legislative Assembly.

Complaints filed under *The Victims' Rights Act*

Nature of Complaint	Resolution
Victim Services: Victim felt form letter issued by victim services worker was insensitive.	Letter of apology was issued by the victim services worker. A new "victim sensitive" form letter was drafted by the program. Additional training was also recommended for staff.
Victim Services: Victim not apprised that a victim impact statement was received.	A new procedure was established by the Victim/Witness Assistance Office to notify all victims when their victim impact statement is received.

Victim Services: Family survivors of homicide were not allowed to apply for grief counselling.	Counselling was provided to the family and the policy for the Compensation for Victims of Crime Program was amended to allow the program the ability to offer grief counselling on a case by case basis.
Court Administration: Sound quality in the courtroom.	Court administration corrected the problem and issued an apology to the victim.
Court Administration: Compensation for travel mileage too low.	Two victims filed this complaint. Both complaints were resolved by awarding the victim increased travel mileage compensation.
Court Administration: Transcription error made on a Probation Order.	Probation order was amended accordingly and the ADM of Courts Division issued a letter of apology to the victim for the inadvertent error.

In 2000/2001, complaint officers resolved 51 complaints about the justice system. Some of these complaints did not fall under the purview of *The Victims' Rights Act* and were resolved informally. Often in those cases, a complaints officer acted as a liaison between the victim and the agency the victim was having difficulty with, or the victim was referred by the complaints officer to the appropriate agency with which a complaint should be filed.

Many of the 51 complaints also stemmed from victims wanting additional information about their cases and not knowing where to turn. In these cases complaints officers helped victims get the information needed.

Victims First Cellular Program

The Victims First Cellular Program was established in 1997 as a joint initiative between MTS Mobility, social agencies, police services and Manitoba Justice. The program enhances the short-term safety of high-risk domestic abuse and stalking victims by providing them with free cellular phones pre-programmed to connect directly to emergency services immediately during times of extreme risk. The program operates in Winnipeg and most rural communities with 911 service.

MTS Mobility supplies the pre-programmed cellular phones at no charge. The social agencies meet with high-risk victims and assess their eligibility for the program. Phones are intended for use only as a last resort in domestic violence, stalking or breach of protection order cases. If a client is eligible, the social agency provides the phone, trains the victim to operate it and forwards the necessary documentation to the appropriate parties.

Victims are asked to report weekly to the social agency about ongoing need for the phone. Generally cases are reviewed after eight weeks to confirm ongoing eligibility.

In 2000/2001, the Victims First Cellular Program provided cellular telephones to 59 female victims in crisis. In Winnipeg, the program is offered to male victims through the Victim Service Unit of the Winnipeg Police Service; however, no male victims applied in 2000/2001.

Victims First Cell Phone Program
Victims Served by Area

Area of the Province	Number of Victims Served
Dauphin	0
Thompson	0
Steinbach	1
Winkler	1
Brandon	3
Portage La Prairie	3
Selkirk	4
The Pas	11
Winnipeg	36
TOTAL	**59**

Consultation Groups

Justice-Based Victim Service Providers (JVSP)

In May 1996, Manitoba Justice began to compile a government-wide inventory of victim service programs provided by the province. As a result, a number of recommendations for improvements were made. In early 1997, the Provincial Victim Assistance Committee (PVAC) was assembled to help implement the recommendations of this study. The group has continued to meet to co-ordinate and improve the quality of victim services in the province.

In 2000/2001, the group re-evaluated its purpose and re-formulated its business plan, resulting in a name change. The group, now called Justice-Based Victim Service Providers (JVSP), is comprised exclusively of representatives who provide direct service to crime victims. Membership includes victim service providers from the RCMP, Dakota Ojibway Police Service, Winnipeg Police Service, Brandon Police Service and Winkler Police Service. It also includes representatives from Provincial Victim Services, Victim/Witness Assistance Program, Women's Advocacy Program, Child Victim Support Services, Compensation for Victims of Crime Program, Community Corrections, Correctional Service of Canada and Age and Opportunity Inc.

JVSP's objectives include creating collaborative networks; developing partnerships; creating an increased awareness and raising the profile of victims issues in Manitoba; providing a forum to discuss issues and concerns; and, acting as a consultation group on victims issues for decision makers.

The group meets 10 times a year.

Manitoba Organization for Victim Advocates (MOVA)

The Manitoba Organization for Victim Advocates (MOVA) is a non-government agency established in February 2000 to provide a formal victim advocates' network in Manitoba. The organization's mandate is to provide services and education and advocate for victim-centred justice. In addition, MOVA acts as a consultation group and provides Manitoba Justice with co-ordinated and comprehensive guidance in relation to victims' legislation policy and rights. MOVA consists of participants from other existing advocacy groups such as Victims' Voice, Citizens Against Violence and Victims of Violence.

Victims' Assistance Fund

The management of the Victims' Assistance Fund is provided for under sections 17 to 20 of *The Victims' Rights Act*.

Revenue for the fund comes court ordered fine surcharges. Section 20 of the act directs the funds to promote and administer services for victims and to allow Manitoba Justice to provide grants to agencies for conducting research or serving victims.

The following grants were made from the fund during 2000/2001:

Victim/Offender Mediation	
Mediation Services of Winnipeg	$197,062
Brandon Mediation Service	$ 10,000
Thompson Mediation Inc.	$ 5,800
Police-Based Victim Services	
Pembina Valley Victim Services	$ 15,000
Brandon Police Service	$ 30,000
Dakota Ojibway Police Service	$ 26,600
Royal Canadian Mounted Police	$369,250
Winnipeg Police Victim Services	$ 3,313
Advocacy	
Manitoba Organization for Victim Advocates	$ 60,178
Voices of Freedom	$ 3,172
Training and Recognition	$ 25,043
Research	$ 5,002
Helen Betty Osborne Memorial Foundation	$ 50,000
TOTAL GRANTS	**$800,420**